

Remarks/Arguments

Reconsideration of the rejection of claims 1-37 under 35 USC 102 or, in the alternative, under 35 USC 103 in view of Plungian et al., Cornwell, Nisnevich et al., Spinney, Dudley et al., PL 126204 (Stokosa et al.), JP 61031371 (Kikuchi et al.), SU 1219575 (Fedynin et al.), FR 2599360 (Royer), SU 1578113 (Volzhenskii et al.), SU 1585309 (Fedynin), SU 1742271 (Fedynin et al.), Okami et al. (JP 11236260), or Weiss et al. (RO 112843) is respectfully requested for the following reasons.

Both Pluguian et al and Cornwell disclose cellular cementitious products for non-structural applications including fireproofing, thermal insulation and acoustical soundproofing. There does not appear to be any discussion or evidence of strengths given in the Phuguian et al or Cornwell references. These references are described in further detail on pages 2 and 3 of the instant application. Nisnevich et al disclose a monolithic aggregate concrete which is not classified as a cellular concrete of the type claimed by applicants. Furthermore, the highest strength indicated is 1928 psi in example 5 of Nisnevich which would not be considered to be the strength of the cellular concrete of applicants' invention. Spinney discloses a cellular concrete aggregate and a foamed concrete mix for preparation of the aggregate. There does not appear to be any discussion or evidence of strengths given in the Spinney reference. Another difference as compared to applicants' invention is that Spinney uses bentonite as a foam stabilizer to manufacture the foamed concrete.

Dudley discloses a low strength, insulating concrete used primarily for roofs and in which the aggregates have a density less than 10 lbs. per cubic foot. Stokosa et al (PL 126,204)

disclose a concrete in which the binder includes carboxylic acid but which concrete does not use light weight aggregates thereby resulting in higher shrinkage. Kikuchi et al (JP 61031371) disclose a low strength concrete at 1209 psi due to Perlite aggregate which is used for non-structural applications. Fedynin et al (SU 1219575) disclose curing by autoclave treatment which is not employed in the present invention. The remaining references describe concrete which either is not high strength or is not of the low shrinkage cellular type.

Independent claims 1 and 20 have been amended to more particularly define applicants' invention and to further distinguish applicants' claimed invention over the cited references.

Accordingly, claims 1-37 as amended are believed to patentably distinguish over the cited references within the meaning of 35 UCS 102 and 35 UCS 103.

Favorable action on this application is respectfully requested.

Respectfully submitted,

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